



State Water Resources Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ORDER NO. WQ 2023-0011-DWQ AND NOTICE OF APPLICABILITY FOR ENROLLMENT UNDER STATE WATER BOARD GENERAL ORDER FOR THE CORPS' NATIONWIDE PERMITS (ORDER NO. [WQ] 2020-0039-EXEC)

Effective Date: February 2, 2023

Program Type: Fill/Excavation

Project Type: Oil and Gas

Project: Line 247 Dig 10 Anomaly Repair Project
Regulatory Measure ID: 450851
WDID: SB22089IN

Applicant: Southern California Gas Company
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State Water Board Contact Person:

For further assistance, please call State Water Resources Control Board (State Water Board) Staff listed above or (916) 341-5478 and ask to speak with the Wetlands Permitting and Enforcement II Unit Supervisor.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

I. Summary

This document serves as a Notice of Applicability for enrollment under the State Water Board General Order for the Nationwide Permits (Order No. [WQ] 2020-0039-EXEC; SWRCB ID SB20031GN; hereafter referred to as the General Order) at the request of Southern California Gas Company (Applicant). The General Order can be accessed at [the Clean Water Act Section 401 - Certification and Wetlands Program, General Orders webpage](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2020) (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2020). On December 28, 2022, the State Water Board received a complete Notice of Intent requesting authorization for the Applicant's Line 247 Dig 10 Anomaly Repair Project (Project). The Applicant submitted a certification request as defined by 40 CFR section 121.5 concurrently to the State Water Board and Corps on January, 25 2023. After reviewing the Notice of Intent, the State Water Board has determined that the Project meets General Order requirements for Nationwide Permit 12: Oil or Natural Gas Pipeline Activities.

This order also serves as an individual certification of the Corps Nationwide Permit 12 under the authority of Clean Water Act Section 401.

II. Project Description

As described in the Project Notice of Intent and supplemental information (hereafter referred to as the Application), which is incorporated herein by reference, the purpose of the Project is to inspect and repair or replace approximately 215 linear feet of Line 247, which crosses underneath Dos Pueblos Creek, in compliance with Federal regulations.

III. Project Location

The Project area is in unincorporated Santa Barbara County in the Dos Pueblos Canyon United States Geological Survey (USGS) 7.5-minute topographic quadrangle (quad). The Public Land Survey System depicts the project in Township 4N, Range 29W, Section 7, San Bernardino Meridian. The project is located northeast of U.S. Highway 101 and east of Dos Pueblos Canyon Road in Dos Pueblos Creek, California. The Project coordinates are 34.448181°N, -119.958926°W.

IV. Receiving Waters Information

The Project is located within the jurisdiction of the Central Coast Regional Water Quality Control Board. Receiving waters and groundwater potentially impacted by this Project are listed in Table 1. These waters are regulated in accordance with the applicable water quality control plan (Basin Plan) for the region and other plans and policies of the California Water Boards, which may be accessed online at [the State Water Boards' Plans and Policies webpage](https://www.waterboards.ca.gov/plans_policies/) (https://www.waterboards.ca.gov/plans_policies/).

Table 1: Receiving Water Information

Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303(d) Listing Pollutants
Dos Pueblos Canyon Creek	Pacific Ocean	Creek	South Coast Hydrologic Unit 315	Pacific Ocean	MUN AGR PROC IND GWR REC1 REC2 WILD COLD WARM MIGR SPWN RARE EST, FRSH, COMM	UNK

V. Direct Impacts to Waters of the State

Total Project fill/excavation quantities for all impacts are summarized in Table 2.

Table 2: Total Project Fill/Excavation Quantity to Oceans/Bays/Estuaries

Temporary Impact ¹	Permanent Impact - Physical Loss of Area	Permanent Impact - Degradation of Ecological Condition Only
0.21 acres 267 linear feet	0 acres 0 linear feet	0 acres 0 linear feet

VI. Description of Indirect Impacts to Waters of the State

The State Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project. Potential indirect adverse effects include but are not limited to: increased sediment loading to streams from riparian and/or upland areas used for access or staging areas, possibility of introducing invasive species into the Project areas, and changing timing of runoff delivery to streams in the Project area. The Project, as designed, will not have significant indirect impacts to waters of the state.

A fee payment of \$2,417 was received by the State Water Board on December 28, 2022. The fee amount was determined as required by California Code of Regulations, title 23,

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition.

sections 3833(b)(3) and 2200(a)(3) and was calculated as category A - Fill and Excavation Discharges (fee code 84).

VII. Public Notice

The State Water Board provided public notice of the Application pursuant to California Code of Regulations, title 23, section 3858 from December 29, 2022 to January 19, 2023. The State Water Board did not receive any comments during the comment period.

VIII. Reporting and Notification Requirements

The Applicant shall submit an Annual Report each year on January 15 until a Notice of Project Complete Letter is issued to the Applicant. Notices and reporting shall be provided to the State Water Board according to section VI.E, "Application for Coverage and Termination," of the General Order.

The Applicant shall submit Report Types 2 and 3, as described in Attachment B, "Report and Notification Requirements," of the General Order. The Applicant must also submit Report Types 4 through 9 if the Project encounters the conditions described in these Report Types. The Applicant must submit all reports and information required under this Certification according to the Report Submittal Instructions found in Attachment B, "Report and Notification Requirements," of the General Order.

Compliance with 40 CFR § 121.7(d)(2) – These reporting and notification requirements are necessary to confirm that the requirements set by this certification are satisfied, and that the requirements are sufficient to protect beneficial uses and water quality objectives. Monitoring and reporting requirements are authorized by Water Code sections 13267 and 13383.

IX. Water Quality Certification

I hereby issue this Notice of Applicability for the Line 247 Dig 10 Anomaly Repair Project, certifying that as long as all of the conditions listed in the General Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

As a water quality certification and enrollment under State Water Board General Order No. [WQ] 2020-0039-EXEC, this Certification and Notice of Applicability serve as waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.). State Water Board Order No. [WQ] 2020-0039-EXEC serves as waste discharge requirements in accordance with State Water Board Water Quality General Order No. 2003-0017-DWQ. The State Water Board will file a Notice of Exemption (NOE) at the State Clearinghouse within five (5) working days of issuance of this Notice of Applicability.

Except insofar as may be modified by any preceding conditions, all Notice of Applicability actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of the General Order and the attachments to the General Order; and, (b) compliance with all applicable requirements of Statewide Water Quality Control Plans, and the Regional Water Boards' Water Quality Control Plans.

Karen Mogus  Digitally signed by Karen Mogus
Date: 2023.02.02 11:13:12 -08'00'

Date

Karen Mogus, Deputy Director
Division of Water Quality